

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13
Michael Lumb, :
Debtor. : Bankruptcy No. 21-13216-MDC

ORDER

AND NOW, on December 24, 2022, Michael Lumb (the “Debtor”) filed his Sixth Amended Plan (the “Plan”).¹

AND, on December 28, 2022, Kenneth West, standing Chapter 13 Trustee (the “Trustee”) filed a motion to dismiss the Debtor’s bankruptcy case pursuant to 11 U.S.C. §1307(c)(1) (the “Trustee Motion to Dismiss”).²

AND, on January 25, 2023, Finance of America Holdings, LLC (“FAH”) filed an objection to confirmation of the Plan (the “Plan Objection”)³ and a motion to dismiss the Debtor’s bankruptcy case pursuant to 11 U.S.C. §1307(c)(1) (the “FAH Motion to Dismiss”).⁴

AND, on March 14, 2023, the Court held a hearing (the “Hearing”) to consider confirmation of the Plan, the Trustee Motion to Dismiss, and the FAH Motion to Dismiss.⁵

It is hereby **ORDERED, ADJUDGED, AND DECREED** that:

¹ Bankr. Docket No. 79.

² Bankr. Docket No. 80.

³ Bankr. Docket No. 86,

⁴ Bankr. Docket No. 87, as amended by Bankr. Docket No. 90.

⁵ At the Hearing, the Trustee orally withdrew the Trustee Motion to Dismiss and recommended confirmation of the Plan.

1. The Plan is **CONFIRMED**, and the Plan Objection is **OVERRULED**, for the reasons stated on the record at the Hearing.

2. The FAH Motion to Dismiss is **DENIED**.

3. The Trustee Motion to Dismiss is **DENIED** as moot in light of the Trustee's withdrawal of the motion at the Hearing.

4. Based on the Court's determination that the Plan will be confirmed, FAH's *Motion for Relief from the Automatic Stay and Abandonment of Property from the Estate*,⁶ currently under advisement, is **DENIED WITHOUT PREJUDICE**

Dated: March 15, 2023



MAGDELINE D. COLEMAN
CHIEF U.S. BANKRUPTCY JUDGE

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⁶ Bankr. Docket No. 32.